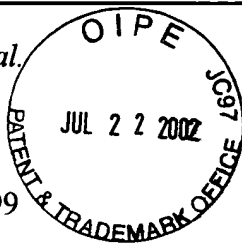


#20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McCafferty *et al.*
Serial No.: 09/417,478
Filed: October 13, 1999
Title: Methods of Producing Members of
Specific Binding Pairs
Art Unit: 1627
Examiner: P. Ponnaluri



CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Attention: Office of Petitions, Box DAC, Commissioner for Patents, Washington, D.C. 20231.

07/15/02
Date

David W. Clough, Ph.D.
Registration No. 36,107

**PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

Attention: Office of Petitions
Box DAC
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The above-identified application became abandoned by Applicants failure to file a timely and proper reply to the Communication requesting sequence listing from the U.S. Patent & Trademark Office mailed on July 30, 2001 (Exhibit A). Applicants' Response/Petition to the Communication was mailed on October 2, 2001 (Exhibit B) requesting a waiver of the rules regarding sequence listings for reasons articulated in that Petition. A further Communication was received from the U.S. Patent & Trademark Office, mailed on December 6, 2001 (Exhibit C), denying Applicants' "Response to Communication From Commissioner and Petition Under 37 C.F.R. 1.181 and 1.183" filed October 2, 2001. The Communication received from the U.S. Patent & Trademark Office dated December 6, 2001, requested that Applicant comply with the requirements held in the Communication Requesting Sequence Listing dated July 30, 2001.

In February 2002, Attorneys for Applicants had discussions with the Petition Office regarding resetting of the time for submission of a sequence listing. In March 2002, Attorneys

RECEIVED
JUL 29 2002
OFFICE OF PETITIONS

for Applicants received a telephone call from Tina Suggs, Examiner, requesting the authorization to charge our deposit account for extension fees. A copy of the Credit Card Payment Form faxed to Tina Suggs on March 20, 2002 is enclosed as Exhibit D. Based on the foregoing, the Applicants expected, apparently mistakenly, that time for responding would be reset. On 8 July 2002, the Applicants received a Notice of Abandonment.

APPLICANTS HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION which was unintentionally abandoned and transmit herewith the following: (1) Petition fee under 37 C.F.R. § 1.17(m) in the amount of \$1280.00; (2) The reply to the above-noted Communication Requesting Sequence Listing; (3) Terminal Disclaimer required by 37 C.F.R. § 1.137(d) with the requisite fee of \$110.00 under 37 C.F.R. § 1.20(d); (4) a Showing of Cause of the Unintentional Delay; and (5) a Petition of Suspension of the Rules under 37 C.F.R. § 1.183, accompanied by the requisite fee of \$130 as set forth in 37 C.F.R. § 1.17(h).

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional. Under 37 C.F.R. § 1.37(b), the Applicant encloses herewith a Show of Cause of Application Abandoned Unintentionally.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application during its entire pendency, or credit any overpayment, to Deposit Account No. 50-1214. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1214. A duplicate copy of this sheet is enclosed.

Application No.: 09/417,478
Filed: October 13, 1999

Attorney Docket No.: 213839-00010

Respectfully submitted,

By: 

David W. Clough, Ph.D.

Registration No.: 36,107

Dated: July 15, 2002
KATTEN MUCHIN ZAVIS ROSENMAN
525 W. Monroe Street, Suite 1600
Chicago, IL 60661
Telephone: (312) 902-5464
Fax: (312) 577-8736